

EXHIBIT 9

**REDACTED VERSION OF
DOCUMENT SOUGHT TO BE
SEALED**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

Case

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING LLC,
Defendants,

_____ /

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VIDEOTAPED DEPOSITION OF JAMES HASLIM
VOLUME II
THURSDAY, MAY 4, 2017

Reported by:
Anrae Wimberley
CSR No. 7778
Job No. 2610396

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1 Q. Other than Mr. Feldman, who are you aware of 10:24:20
2 that most closely works with Mr. Levandowski on a 10:24:27
3 day-to-day basis? 10:24:29
4 A. On a day-to-day basis, the only other 10:24:32
5 employee I'm aware of that works closely with him I 10:24:35
6 would say is Eric Meyhofer. 10:24:44
7 Q. Mr. Meyhofer, how do you know him? 10:24:50
8 A. Eric is my boss. 10:24:52
9 Q. How long have yourself and Mr. Meyhofer known 10:24:59
10 each other? 10:25:00
11 A. I met Eric Meyhofer -- I don't remember when, 10:25:09
12 but I can tell you it was when he visited Tyto LiDAR 10:25:13
13 with Scott Boehmke, and they visited to evaluate our 10:25:20
14 products. 10:25:21
15 Q. And you said you didn't remember when this 10:25:26
16 meeting was. 10:25:30
17 Can you give it a year? 10:25:31
18 A. It was prior to acquisition by Otto, but a 10:25:40
19 significant time went by between our meeting and being 10:25:46
20 acquired by Otto. So I don't even want to hazard the 10:25:52
21 year, because it could be off. 10:25:55
22 Q. So there was a meeting between Mr. Meyhofer, 10:26:03
23 Mr. Boehmke and Tyto LiDAR; is that right? 10:26:08
24 A. That's right. 10:26:09
25 Q. And it was sometime before the acquisition of 10:26:12

1 Tyto by Otto; correct? 10:26:15

2 A. Correct. 10:26:15

3 Q. Who else was at that meeting? 10:26:19

4 A. That would have included Brent Schwarz. I'm 10:26:26

5 not certain whether Mike Karasoff would have been at 10:26:30

6 that meeting as well. 10:26:32

7 Q. Anybody else? 10:26:32

8 A. I don't recall. 10:26:33

9 Q. Was Mr. Levandowski at that meeting? 10:26:37

10 A. Not that I recall. 10:26:38

11 Q. You're not sure, though? 10:26:41

12 A. I'm fairly sure that he was not. That would 10:26:45

13 have been awkward. 10:26:48

14 Q. You said, "That would have been awkward." 10:26:50

15 Why do you say that? 10:26:52

16 A. Well, he wasn't an employee of Tyto. 10:26:57

17 Q. Mr. Levandowski. 10:26:57

18 A. That's what I meant. 10:26:59

19 Q. So you're saying it would have been awkward 10:27:02

20 for Mr. Levandowski to be involved in a meeting 10:27:06

21 between Tyto and Uber because he wasn't involved in 10:27:10

22 Tyto; is that right? 10:27:12

23 A. It would be awkward because he was not an 10:27:14

24 employee, yes. 10:27:15

25 Q. So I see you changed words there a little 10:27:17

1 bit -- 10:27:17

2 A. I did. 10:27:19

3 Q. -- and I just want to clarify that. 10:27:20

4 Why did you change -- my question was about 10:27:23

5 whether he was involved, and you answered about 10:27:26

6 whether he was an employee. 10:27:27

7 Why did you do that? 10:27:28

8 A. Because I would need clarification on the 10:27:31

9 word "involved." We would occasionally have dinner, 10:27:38

10 chat, see how the business was going on a friendly 10:27:41

11 term. 10:27:42

12 Q. What is your understanding as to 10:27:43

13 Mr. Levandowski's involvement in Tyto LiDAR? 10:27:48

14 A. My understanding of his involvement with Tyto 10:27:53

15 LiDAR was he was providing us a place of work when we 10:27:58

16 were still Odin Wave, early -- when we were getting 10:28:02

17 started. He sourced contract employees. He was a 10:28:11

18 friend who would stop by occasionally for chats. 10:28:15

19 Q. Chats about what? 10:28:16

20 A. What we're working on, what would the next 10:28:21

21 product be if we finished the current product. 10:28:24

22 Q. Why were you chatting with Mr. Levandowski 10:28:26

23 about what you were working on at Tyto LiDAR? 10:28:29

24 A. I couldn't tell you -- if your question is 10:28:34

25 why that was appropriate or why that was something 10:28:41

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1 that was to discuss, the question came up, he would 10:28:45
2 ask, we would talk. 10:28:47

3 Q. Was there anyone else that you would have 10:28:50
4 these kind of chats with, that weren't employees, 10:28:53
5 about your work at Tyto? 10:28:58

6 A. Not that I recall. 10:29:02

7 Q. Did you ever raise to any of your fellow 10:29:05
8 employees at Tyto LiDAR, hey, why are we talking with 10:29:10
9 Mr. Levandowski about the work that we're doing? 10:29:14

10 A. No. 10:29:14

11 Q. Never came up? 10:29:16

12 A. Not to my recollection. 10:29:17

13 Q. You never asked anyone? 10:29:18

14 A. No. 10:29:18

15 Q. You didn't think it was odd that this person 10:29:21
16 who doesn't work for the company was talking about 10:29:23
17 your work with you? 10:29:24

18 A. No. 10:29:25

19 Q. Did you know that Mr. Levandowski was working 10:29:27
20 on LiDAR at Waymo at the time? 10:29:31

21 A. I knew he was working for Google at the time, 10:29:35
22 and I didn't know the details of what specifically he 10:29:39
23 was working on. 10:29:41

24 Q. Have you ever spoken with Mr. Levandowski 10:29:44
25 about [REDACTED] 10:29:51

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1 A. Yes. 10:29:51

2 Q. When? 10:29:52

3 A. This would be some date, I can't recall when, 10:30:01

4 at Tyto LiDAR. 10:30:05

5 Q. And what did you guys talk about? 10:30:12

6 A. We talked about our need to design our own 10:30:15

7 fiber laser in order to eliminate costs and lead time. 10:30:21

8 And he gave me what I would call a tech tutorial on 10:30:29

9 fiber lasers. 10:30:31

10 Q. What did he say? 10:30:35

11 A. I don't remember the words of our 10:30:37

12 conversation. 10:30:38

13 Q. Tell me everything you remember about that 10:30:40

14 conversation, please. 10:30:41

15 A. He -- trying to recall -- described a 10:30:53

16 schematic, a layout, an approach for [REDACTED] [REDACTED]

[REDACTED] [REDACTED], generally how they work. Told me 10:31:03

18 to go find a YouTube video from a professor on lasers 10:31:09

19 in general. I believe he recommended some suppliers. 10:31:18

20 Q. Who are the suppliers? 10:31:20

21 A. I believe he recommended [REDACTED] [REDACTED]

[REDACTED] [REDACTED]. And I believe he recommended [REDACTED]. 10:31:41

23 Q. And [REDACTED], that's the same vendor used for 10:31:47

24 the fiber in the Spider design; right? 10:31:51

25 A. Yes. 10:31:51

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CERTIFICATE OF DEPOSITION OFFICER

I, ANRAE WIMBERLEY, CSR NO. 7778, duly authorized to administer oaths pursuant to Section 8211 of the California Code of Civil Procedure, hereby certify that the witness in the foregoing deposition was by me sworn to testify to the truth, the whole truth and nothing but the truth in the within-entitled cause; that said deposition was taken at the time and place therein stated; that the testimony of said witness was reported by me and was thereafter transcribed by me or under my direction by means of computer-aided transcription; that the foregoing is a full, complete and true record of said testimony; and that the witness was given an opportunity to read and correct said deposition and to subscribe same.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing deposition and caption named, nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto subscribed by my hand this 5th day of May, 2017.



ANRAE WIMBERLEY, CSR NO. 7778